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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FORM**

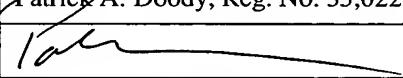
(to be used for all correspondence after initial filing)

		Application Number	10/643,878
		Filing Date	August 20, 2003
		First Named Inventor	Kevin T. Foley et al.
		Group Art Unit	unknown
		Examiner Name	unknown
Total Number of Pages in This Submission		Attorney Docket Number	64118.000036

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Other: _____
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. <u>50-0206</u> for the above identified docket number.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Hunton & Williams LLP Patrick A. Doody, Reg. No. 35,022
Signature	
Date	November 21, 2003

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 

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Signature	Date _____

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 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**REVOCATION AND APPOINTMENT  
OF NEW POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, SDGI Holdings, Inc., a corporation organized and existing under the laws of the Delaware having a place of business at 300 Delaware Avenue, Suite 508, Wilmington, Delaware 19801, is assignee of total interest in the patent applications by Assignments to SDGI Holdings, Inc. as identified below.

1. United States Utility Patent Application No. 09/417,402 (now U.S. Patent No. 6,533,786) filed October 13, 1999 by Assignment recorded on January 12, 2000 at Reel 010536, Frame 0577. (Appendix A).
2. United States Utility Patent Application No. 10/134,463 (which is a continuation of U.S. Serial No. 09/417,402) filed on April 30, 2002 by Assignment recorded on January 12, 2000 at Reel 010536, Frame 0577. (Appendix A).
3. United States Utility Patent Application No. 09/907,022, filed July 17, 2001 by Assignment recorded on July 17, 2001 at Reel 012005, Frame 0618. (Appendix B).
4. United States Utility Patent Application No. 10/643,878 (which is a divisional of U.S. Serial No. 09/907,022 filed on August 20, 2003 at Reel 012005, Frame 0618. (Appendix B).
5. United States Provisional Patent Application No. 60/212,576, filed June 20, 2000 by Assignment recorded on March 10, 2003 at Reel 013818, Frame 0585. (Appendix C).
6. United States Utility Patent Application No. 09/884,478, filed June 20, 2001 by Assignment recorded on March 10, 2003 at Reel 013818, Frame 0585. (Appendix C).

Pursuant to 37 C.F.R. § 3.73(b), the undersigned, who is empowered to act on behalf of the Assignee, hereby declares that he has reviewed the evidentiary documents of the chain of title and certifies that, to the best of Assignee's knowledge and belief, title to the above-captioned patent application is with the Assignee.

Assignee hereby revokes any and all previous Powers of Attorney and hereby appoints, both jointly and severally, as its attorneys and agents with full power of substitution and revocation, to prosecute said patent application, including any and all continuation, divisional, renewal, substitute, reexamination and reissue applications based in whole or in part on said application, before the U.S. Patent and Trademark Office, to transact all business in the U.S. Patent and Trademark Office connected therewith, including receiving any Letters Patent issuing thereon, and to take any and all other legal action with regard to this patent application, the following attorneys and agents of the firm of Hunton & Williams LLP:

Stanislaus Aksman, Reg. No. 28,562; Jennifer A. Albert, Reg. No. 32,012; Thomas E. Anderson, Reg. No. 37,063; David E. Baker, Reg. No. 42,285; Carl L. Benson, Reg. No. 38,378; Thomas D. Bradshaw, Reg. No. 51,492; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No. 40,544; Robin C. Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Kevin T. Duncan, Reg. No. 41,495; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; Charles F. Hollis, III, Reg. No. 40,650; Nancy J. Jensen, Reg. No. 45,913; Herbert V. Kerner, Reg. No. 42,721; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Jonathan D. Link, Reg. No. 41,548; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Rodger L. Tate, Reg. No. 27,399; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

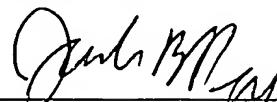
All correspondence and telephone communications should be addressed to:

**CUSTOMER NUMBER 21967**

Patrick A. Doody  
Intellectual Property Department  
Hunton & Williams LLP  
1900 K Street, N.W.  
Suite 1200  
Washington, DC 20006-1109  
(202) 955-1500 (telephone)  
(202) 778-2201 (facsimile)

Dated: 11-17-03

By:

  
\_\_\_\_\_  
Printed: Jack B. Pearson, Jr.  
Title: Assistant Treasurer  
Assignee: SDGI Holdings, Inc.

APPROVED AS TO  
LEGAL FORM

JBP 11/17/03



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APRIL 18, 2000

PTAS

WOODARD, EMHARDT, NAUGHTON, ET AL  
DOUGLAS A. COLLIER  
111 MONUMENT CIRCLE, SUITE 3700  
BANK ONE CENTER/TOWER  
INDIANAPOLIS, INDIANA 46204-5137



\*101266379A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 01/12/2000

REEL/FRAME: 010536/0577  
NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

RECEIVED

ASSIGNEE:

ZDEBLICK, THOMAS A.

DOC DATE: 11/22/1999

APR 24 2000

ASSIGNEE:

HERKOWITZ, HARRY N.

DOC DATE: 11/23/1999

Woodard, Emhardt, Naughton & McNamee

ASSIGNEE:

NEEDHAM, DUSTY ANNA

DOC DATE: 11/11/1999

ASSIGNEE:

POYNER, JEFFREY WADE

DOC DATE: 11/11/1999

ASSIGNEE:

SDGI HOLDINGS, INC.  
300 DELAWARE AVENUE, SUITE 508  
WILMINGTON, DELAWARE 19801

SERIAL NUMBER: 09417402  
PATENT NUMBER:

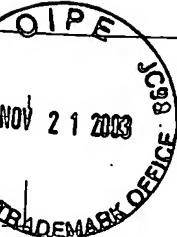
FILING DATE: 10/13/1999  
ISSUE DATE:

010536/0577 PAGE 2

MAURICE CARTER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

1/12/00  
FORM PTO-1619A  
Expires 06/30/99  
OMB 0651-0027

02-11-2000  
101266379



U.S. Department of Commerce  
Patent and Trademark Office  
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**Submission Type**

- New  
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Reel #  Frame #   
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Reel #  Frame #

**Conveyance Type**

- Assignment  Security Agreement  
 License  Change of Name  
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**U.S. Government**  
(For Use ONLY by U.S. Government Agencies)  
 Departmental File  Secret File

**Conveying Party(ies)**

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
11 22 99

Name (line 1) Thomas A. Zdebllick

Name (line 2)

**Second Party**

Name (line 1) Harry N. Herkowitz

Name (line 2)

Execution Date  
Month Day Year  
11 23 99

**Receiving Party**

Mark if additional names of receiving parties attached

Name (line 1) SDGI Holdings, Inc.

If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached  
(Designation must be a  
separate document from  
Assignment.)

Name (line 2)

Address (line 1) 300 Delaware Ave., Suite 508

Address (line 2)

Address (line 3) Wilmington  
City

DE USA  
State/Country

19801  
Zip Code

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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02/10/2000 TT0411 00000223 09417402

01 FC:581

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number

(317) 634-3456

Name Douglas A. Collier

Address (line 1) Woodard, Emhardt, Naughton, Moriarty & McNett

Address (line 2) 111 Monument Circle, Suite 3700

Address (line 3) Bank One Center/Tower

Address (line 4) Indianapolis, Indiana 46204-5137

Pages

Enter the total number of pages of the attached conveyance document

#

Application Number(s) or Patent Number(s)

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

09/417,402

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number

PCT

PCT

PCT

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PCT

PCT

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has not been assigned.

Number of Properties

Enter the total number of properties involved.

# 1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

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Deposit Account Number:

# 23-3030

Authorization to charge additional fees:

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No

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To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Douglas A. Collier

Name of Person Signing

*Douglas A. Collier*

Signature

JAN. 5, 2000

Date

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PATENTS ONLY

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Patent and Trademark Office  
PATENT

Conveying Party(ies)

Enter additional Conveying Parties

Name (line 1)

Dusty Anna Need

TRADEMARK & PATENT OFFICE

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
11 11 99

Name (line 2)

Name (line 1)

Jeffrey Wade Poyner

Name (line 2)

Name (line 1)

Name (line 2)

Execution Date  
Month Day Year  
11 11 99

Execution Date  
Month Day Year

Receiving Party(ies)

Enter additional Receiving Party(ies)

Mark if additional names of receiving parties attached

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Application Number(s) or Patent Number(s)

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

## ASSIGNMENT

WHEREAS, Dusty Anna Needham, Jeffrey Wade Poyner, Harry N. Herkowitz and Thomas A. Zdeblick, hereinafter referred to as Assignors, whose addresses are 9999 Woodland Fern Drive, Lakeland, Tennessee 38002; 234 Oxford, Atoka, Tennessee 38004; 2700 W. Long Lake Road, West Bloomfield, Michigan 48323 and 4517 Fox Bluff Lane, Middleton, Wisconsin 53562, respectively, have made a new and useful invention entitled **ANTERIOR CERVICAL PLATING SYSTEM AND METHOD**, for which Assignors have made or will make application for Letters Patent of the United States;

WHEREAS, SDGI Holdings, Inc., hereinafter referred to as Assignee, a corporation of the State of Delaware having a principal place of business at 300 Delaware Avenue, Suite 508, Wilmington, Delaware 19801, desires to acquire all of the entire right, title, and interest in, to and under said Invention disclosed, described and/or claimed or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW, THEREFORE, To All Whom It May Concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignors in hand paid, the receipt of which is hereby acknowledged, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Assignee, all of the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent, and any and all other applications thereon and arising therefrom, including any and all divisions, continuations, and continuation-in-part, thereof, and any and all patents to be issued and obtained

therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignors hereby authorize and request the firm of Woodard, Emhardt, Naughton, Moriarty & McNett of Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, IN 46204-5137 to insert here in parentheses (Serial No. 09/417,402, Filed October 13, 1999) the date and serial number of said application when officially known, and Assignors hereby authorize and request the Honorable Commissioner of Patents to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignors agree to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said Inventions in this and all foreign countries for the use of Assignee.

WITNESS Assignors' hands this 22<sup>nd</sup> day of November, 1999.

Dusty Anna Needham

Jeffrey Wade Poyner

Harry N. Herkowitz

  
Thomas A. Zdeblick

## ASSIGNMENT

WHEREAS, Dusty Anna Needham, Jeffrey Wade Poyner, Harry N. Herkowitz and Thomas A. Zdeblick, hereinafter referred to as Assignors, whose addresses are 9999 Woodland Fern Drive, Lakeland, Tennessee 38002; 234 Oxford, Atoka, Tennessee 38004; 2700 W. Long Lake Road, West Bloomfield, Michigan 48323 and 4517 Fox Bluff Lane, Middleton, Wisconsin 53562, respectively, have made a new and useful invention entitled **ANTERIOR CERVICAL PLATING SYSTEM AND METHOD**, for which Assignors have made or will make application for Letters Patent of the United States;

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NOW, THEREFORE, To All Whom It May Concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignors in hand paid, the receipt of which is hereby acknowledged, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Assignee, all of the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent, and any and all other applications thereon and arising therefrom, including any and all divisions, continuations, and continuation-in-part, thereof, and any and all patents to be issued and obtained

therefor and thereon, United States and foreign, including all reissues and extensions thereof.

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Assignors agree to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said Inventions in this and all foreign countries for the use of Assignee.

WITNESS Assignors' hands this 23 day of November, 1999

Dusty Anna Needham

Jeffrey Wade Poyner

Harry N. Herkowitz

Thomas A. Zdeblick

## ASSIGNMENT

WHEREAS, Dusty Anna Needham, Jeffrey Wade Poyner, Harry N. Herkowitz and Thomas A. Zdeblick, hereinafter referred to as Assignors, whose addresses are 9999 Woodland Fern Drive, Lakeland, Tennessee 38002; 234 Oxford, Atoka, Tennessee 38004; 2700 W. Long Lake Road, West Bloomfield, Michigan 48323 and 4517 Fox Bluff Lane, Middleton, Wisconsin 53562, respectively, have made a new and useful invention entitled **ANTERIOR CERVICAL PLATING SYSTEM AND METHOD**, for which Assignors have made or will make application for Letters Patent of the United States;

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therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignors hereby authorize and request the firm of Woodard, Emhardt, Naughton, Moriarty & McNell of Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, IN 46204-5137 to insert here in parentheses (Serial No. 09/417,402. Filed October 13, 1999) the date and serial number of said application when officially known, and Assignors hereby authorize and request the Honorable Commissioner of Patents to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignors agree to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said Inventions in this and all foreign countries for the use of Assignee.

WITNESS Assignors' hands this 11 day of December, 1999.

Dusty Anna Needham  
Dusty Anna Needham

Jeffrey Wade Poyner  
Jeffrey Wade Poyner

Harry N. Herkowitz

Thomas A. Zdeblick



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

JANUARY 24, 2002

PTAS

WOODWARD EMHARDT NAUGHTON  
MORIARTY & MCNETT  
DOUGLAS A. COLLIER  
111 MONUMENT CIRCLE, SUITE 3700  
INDIANAPOLIS, INDIANA 46201



Chief Financial Officer and Chief Administrative Officer  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)



\*101943861A\*

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RECORDATION DATE: 07/17/2001

REEL/FRAME: 012005/0618  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FOLEY, KEVIN T.

DOC DATE: 07/09/2001

ASSIGNOR:

NEEDHAM, DUSTY ANNA

DOC DATE: 07/06/2001

ASSIGNOR:

BURD, BRIAN A.

DOC DATE: 07/05/2001

ASSIGNEE:

SDGI HOLDINGS, INC.  
300 DELAWARE AVE., SUITE 508  
WILMINGTON, DELAWARE 19801

SERIAL NUMBER: 09907022  
PATENT NUMBER:

FILING DATE: 07/17/2001  
ISSUE DATE:

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FEB 04 2002

012005/0618 PAGE 2

MARGARET LASALLE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

01-22-2002

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(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)

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101943861

WENMMI-1595 (05/01)  
U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Tab settings → → →

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Kevin T. Foley \*July 9, 2001  
Dusty Anna Needham \*July 6, 2001  
Brian A. Burd \*July 5, 2001

07/17/01

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger         |
| <input type="checkbox"/> Security Agreement    | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____           |   |

Execution Date: See above

## 2. Name and address of receiving party(ies)

Name: SDGI Holdings, Inc.

Internal Address: \_\_\_\_\_

Street Address: 300 Delaware Ave., Suite 508

City: Wilmington State: Delaware Zip: 19801

## 4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the execution date of the application is: July 17, 2001

## A. Patent Application No.(s)

## B. Patent No.(s)

Additional number(s) attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Douglas A. Collier

Internal Address: WOODARD EMHARDT NAUGHTON

MORIARTY &amp; MCNETT

Street Address: 111 Monument Circle, Suite 3700

City: Indianapolis State: Indiana Zip: 46201

6. Total number of applications and patents involved  1

7. Total fee (37 CFR 3.41).....\$40.00

 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

23-3030

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Douglas A. Collier

Name of Person Signing

Signature

July 17, 2001

Date

Total number of pages including cover sheet, attachments, and document:  6

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

07/30/2001 TBIAZ1 00000017 09907022

01 FC:581

40.00 CP

## ASSIGNMENT

WHEREAS, Kevin T. Foley, Dusty Anna Needham, and Brian A. Burd, hereinafter referred to as Assignors, whose addresses are 2877 Keasler Circle, Germantown, TN 38149; 180 Brockford Drive, Eads TN 38028; and 8285 Sturbridge Way #202, Cordova TN 38018, respectively, have made a new and useful invention entitled **SYSTEM AND METHOD FOR SECURING A PLATE TO THE SPINAL COLUMN**, for which Assignors have made or will make application for Letters Patent of the United States;

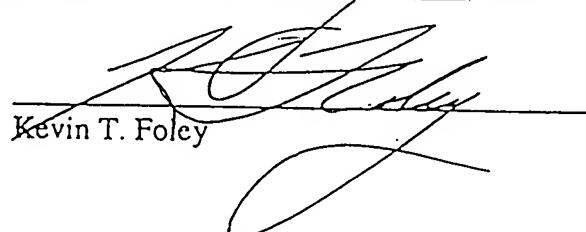
WHEREAS, SDGI Holdings, Inc., hereinafter referred to as Assignee, a corporation of the State of Delaware having a principal place of business at 300 Delaware Avenue, Suite 508, Wilmington, Delaware 19801, desires to acquire all of the entire right, title, and interest in, to and under said Invention disclosed, described and/or claimed or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW, THEREFORE, To All Whom It May Concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignors in hand paid, the receipt of which is hereby acknowledged, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Assignee, all of the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent, and any and all other applications thereon and arising therefrom, including any and all divisions, continuations, and continuation-in-part, thereof, and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignors hereby authorize and request the firm of Woodard, Emhardt, Naughton, Moriarty & McNett of Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, IN 46204-5137 to insert here in parentheses (Serial No. 09/907,022, Filed July 17, 2001) the date and serial number of said application when officially known, and Assignors hereby authorize and request the Honorable Commissioner of Patents to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignors agree to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said Inventions in this and all foreign countries for the use of Assignee.

WITNESS Assignor's hands this 26 day of July, 2001.



Kevin T. Foley

WITNESS Assignor's hands this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

---

Dusty Anna Needham

WITNESS Assignor's hands this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

---

Brian A. Burd

## ASSIGNMENT

WHEREAS, Kevin T. Foley, Dusty Anna Needham, and Brian A. Burd, hereinafter referred to as Assignors, whose addresses are 2877 Keasler Circle, Germantown, TN 38149; 180 Brockford Drive, Eads TN 38028; and 8285 Sturbridge Way #202, Cordova TN 38018, respectively, have made a new and useful invention entitled **SYSTEM AND METHOD FOR SECURING A PLATE TO THE SPINAL COLUMN**, for which Assignors have made or will make application for Letters Patent of the United States;

WHEREAS, SDGI Holdings, Inc., hereinafter referred to as Assignee, a corporation of the State of Delaware having a principal place of business at 300 Delaware Avenue, Suite 508, Wilmington, Delaware 19801, desires to acquire all of the entire right, title, and interest in, to and under said Invention disclosed, described and/or claimed or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW, THEREFORE, To All Whom It May Concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignors in hand paid, the receipt of which is hereby acknowledged, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Assignee, all of the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent, and any and all other applications thereon and arising therefrom, including any and all divisions, continuations, and continuation-in-part, thereof, and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignors hereby authorize and request the firm of Woodard, Emhardt, Naughton, Moriarty & McNett of Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, IN 46204-5137 to insert here in parentheses (Serial No. 09/907,022, Filed July 17, 2001) the date and serial number of said application when officially known, and Assignors hereby authorize and request the Honorable Commissioner of Patents to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignors agree to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said Inventions in this and all foreign countries for the use of Assignee.

WITNESS Assignor's hands this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

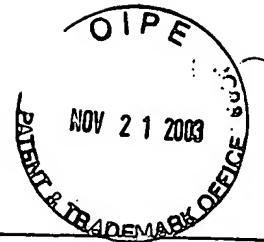
\_\_\_\_\_  
Kevin T. Foley

WITNESS Assignor's hands this 06 day of July, 2001.

Dusty Anna Needham  
Dusty Anna Needham

WITNESS Assignor's hands this 05 day of July, 2001.

Brian A. Burd  
Brian A. Burd



PC394.02:DAC:146489

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

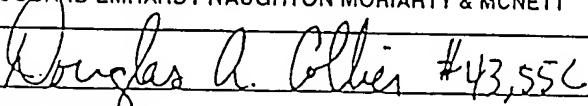
Total Number of Pages in this Submission

Application Number	09/907,022
Filing Date	July 17, 2001
First Named Inventor	Kevin T. Foley et al.
Group Art Unit	3732
Examiner Name	
Total Number of Pages in this Submission	Attorney Docket Number
	4002-2716

## ENCLOSURES (check all that apply)

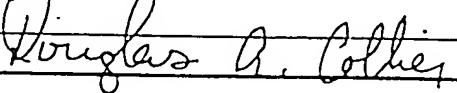
<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Resubmission Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	X Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	X Request for Corrected Assignment
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	X Copy of Notice of Recordation of Assignment Doc. Marked in red
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Douglas A. Collier WOODARD EMHARDT NAUGHTON MORIARTY & MCNETT
Signature	
Date	October 24, 2001

## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231 on this date: October 24, 2001.

Typed or printed name	Douglas A. Collier	Date	Oct. 24, 2001
Signature			

DNK-2000-148-PA:DAC:146458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re patent ) Before the Examiner  
application of: )  
 )  
Kevin T. Foley et al. )  
 )  
Serial No. 09/907,022 ) Group Art Unit 3732  
 )  
Filed July 17, 2001 )  
 )  
SYSTEM AND METHOD FOR SECURING )  
A PLATE TO THE SPINAL COLUMN ) October 24, 2001

REQUEST FOR CORRECTED ASSIGNMENT

Assistant Commissioner for Patents  
Assignment Division  
Box Assignment, CG-4  
1213 Jefferson Davis Hwy, Suite 320  
Washington, D.C. 20231

Sir:

Enclosed herewith is a copy of the Notice of Recordation of Assignment Document, Recordation Form Cover Sheet, and a copy of the Assignment that was recorded on July 17, 2001 at Reel 012005, Frame 0618. Please correct on the Notice of Recordation of Assignment Document the DOC DATE: for the third inventor (Brian A. Burd) from "07/02/2001" to --07/05/2001--. No fee is enclosed since this was a PTO error; however, please charge any fees associated with this document to Deposit Account 23-3030 if any are required. It is requested the Notice of Recordation of Assignment be corrected.

Respectfully submitted

Douglas A. Collier

Douglas A. Collier

Reg. No. 43,556

Woodard, Emhardt, Naughton,

Moriarty & McNett

Bank One Center/Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on October 24, 2001.

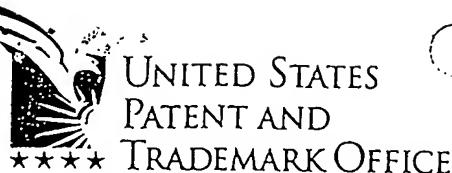
Douglas A. Collier

Name of Registered Representative

Douglas A. Collier  
Signature

Oct. 24, 2001

Date of Signature



UNITED STATES

PATENT AND

TRADEMARK OFFICE

JULY 23, 2003

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JUL 23 2003



PTAS

WOODARD, EMHARDT, NAUGHTON, MORIARTY &  
MCNETT LLP, CHARLES P. SCHMAL  
BANK ONE CENTER/TOWER  
111 MONUMENT CIRCLE, SUITE 3700  
INDIANAPOLIS, INDIANA 46204-5137

Woodard, Emhardt, Naughton,  
McNett & Schmal  
Under-Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)



\*102386667A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/10/2003

REEL/FRAME: 013818/0585  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

RECOVERYCARE.COM, INC.

DOC DATE: 10/24/2002

ASSIGNEE:

SDGI HOLDINGS, INC.  
300 DELAWARE AVENUE, SUITE 508  
WILMINGTON, DELAWARE 19801

SERIAL NUMBER: 09884478  
PATENT NUMBER:FILING DATE: 06/20/2001  
ISSUE DATE:SERIAL NUMBER: 60212576  
PATENT NUMBER:FILING DATE: 06/20/2000  
ISSUE DATE:SERIAL NUMBER:  
PATENT NUMBER:  
PCT NUMBER: US0119594FILING DATE:  
ISSUE DATE:

013818/0585 PAGE 2

MARGARET LASALLE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

03-11-2003

NOV 21 2003

Form PTO-1595  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)

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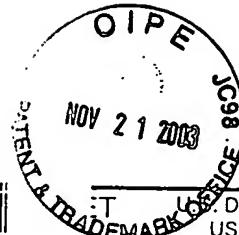


WENMM-1595 (05/01)

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Tab settings → → →

102386667



To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

RecoveryCare.com, Inc.

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

- Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: October 24, 2002

## 2. Name and address of receiving party(ies)

Name: SDGI Holdings, Inc.

Internal Address: 310C3

Street Address: 300 Delaware Avenue, Suite 508

City: Wilmington State: Delaware Zip: 19801

Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

USSN 09/884,478

USSN 60/212,576

PCT/US01/19594

## B. Patent No.(s)

Additional number(s) attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Charles P. Schmal, Reg. No. 45,082

Internal Address: Woodard, Emhardt, Naughton, Moriarty  
& McNett LLPStreet Address: Bank One Center/Tower, 111 Monument  
Circle, Suite 3700City: Indianapolis State: Indiana Zip: 46204-5137

## 6. Total number of applications and patents involved

3

## 7. Total fee (37 CFR 3.41).....\$120.00

 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

23-3030

(Attach duplicate copy of this page if paying by deposit account)

## DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Charles P. Schmal

Name of Person Signing

Signature

March 4, 2003

Date

13/11/2003 ECOOPER 00000021 09884478

120.00 00

Total number of pages including cover sheet, attachments, and document: 6Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments

DEC 13 20

## PATENT APPLICATION AND INVENTION ASSIGNMENT

## RECITALS:

A. RecoveryCare.com, Inc. ("Seller") has made and is the owner of an invention relating to an Electronic Patient Healthcare System and Method, and is the owner of the United States and foreign patent applications identified on the attached Schedule 1 ("Patent Applications").

B. This Assignment is entered into contemporaneous with the closing of an Asset Purchase Agreement between Seller and Medtronic Sofamor Danek, Inc. ("Medtronic"). The Asset Purchase Agreement calls for Seller to transfer and assign all inventions and related patents and patent applications to Medtronic's affiliated entity SDGI Holdings, Inc. ("SDGI").

C. Seller wishes to transfer and assign the Patent Applications to SDGI, and Medtronic wishes for SDGI to acquire the Patent Applications, including the inventions described therein, on the terms and conditions set forth herein.

## AGREEMENTS:

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

In exchange for good and valuable consideration, the receipt of which Seller acknowledges, Seller assigns to SDGI, its successors and assigns:

- (1) The entire right, title and interest to the Patent Applications, including the inventions described therein;
- (2) The entire right, title and interest to any United States or foreign Letters Patents which may issue with respect to the above identified inventions and Patent Applications;
- (3) The entire right, title and interest to any renewals, reissues, extensions, substitutions, continuations, continuations-in-part, or divisions that may be filed with respect to the above identified inventions or Patent Applications; and
- (4) The right to apply for Letters Patents in foreign countries in its own name and to claim any priority rights to which such foreign applications are entitled under international conventions, treaties or otherwise.

Seller further agrees for itself and any successors, to execute and deliver without further consideration any further applications, assignments or other documents and to perform such other lawful acts as Medtronic, SDGI, or either of their successors and assigns may deem necessary to fully secure, maintain and enforce its rights, title or interest as outlined herein.

Seller hereby authorizes and request the Commissioner of Patents and Trademarks to issue to Medtronic or SDGI any Letters Patents which may be granted in accordance with this Assignment.

[The remainder of this page is left blank.]

[Signature page to Patent Application and Invention Assignment.]

Dated this 24<sup>th</sup> day of October, 2002.

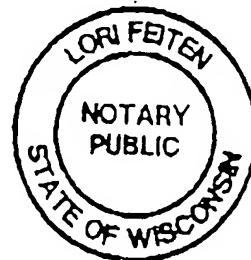
RECOVERYCARE.COM, INC.

By:

Lori Foten  
Its: PRESIDENT

Subscribed and sworn to before me  
this 24 day of October, 2002.

Sonja Saut  
Notary Public 3120105



SCHEDULE 1 TO PATENT AND INVENTION ASSIGNMENT  
UNITED STATES AND FOREIGN PATENTS AND PATENT APPLICATIONS

U.S. Patent Applications:

Provisional Application No. 60/212,576. Title: ELECTRONIC PATIENT HEALTHCARE SYSTEM AND METHOD. Filing Date: June 20, 2000.

Application No. 09/884,478. Title: ELECTRONIC PATIENT HEALTHCARE SYSTEM AND METHOD. Filing Date: June 20, 2001. Inventors: Bianco, et. al.

International Patent Applications:

Application No. PTC/US01/19594. Title: ELECTRONIC PATIENT HEALTHCARE SYSTEM AND METHOD. Filing Date: June 20, 2001. Inventors: Bianco, et. al.